

TRUSTEE ELECTION BYLAW

This bylaw will provide for the determination of various procedures for the conduct of general school elections and other trustee elections.

School District No. 47 (Powell River) being a non-municipal trustee electoral area, under section 37(3) of the *School Act*, must conduct the trustee elections for the School District. Notwithstanding this requirement, section 38(4) of the *School Act*, allows the Board of Education to enter into an agreement with a local government to conduct the school trustee elections.

In School District No. 47 (Powell River), trustee elections may be conducted for the School District by the The City of Powell River – {*School Act*, sec.37 (3)}. By agreement between the Board and the City of Powell River, the City will conduct the general school trustee elections for the School District. There will be five trustees elected to the Board.

In School District #47 (Powell River), five trustees are elected at large.

The Board has established procedures and requirements under the authority of the *School Act* for trustee elections. The Board of Education, in an open meeting of the Board, enacts as follows:

1. Interpretation:

- 1.1. The terms used shall have the meanings assigned by the *School Act*, the *Local Government Act*, and the *Local Elections Campaign Financing Act*, except as the context indicates otherwise.
- 1.2. "Board "or" School Board " means the Board of Education of School District No. 47 (Powell River).
- 1.3. "By-election " means a trustee election to fill a vacancy on the Board of Education in any of the circumstances described in section 36 of the *School Act*.
- 1.4. "City" means The City of Powell River.
- 1.5. "Election" means a trustee election.
- 1.6. "General voting day" means the date on which general voting for a trustee election is to take place, whether part of the general school elections or a by-election.
- 1.7. "Minister" means the Minister of Education.
- 1.8. "qathet Regional District" means the qathet Regional District.
- 1.9. "School District" means School District No. 47 (Powell River).

2. Application

- 2.1. This bylaw applies to both general school elections and by-elections, except as otherwise indicated in this bylaw.

Adopted: May 18, 2022
Reviewed: June 22, 2022
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3. Order of Names on the Ballot

3.1. The order of names of candidates on the ballot will be alphabetical.

4. Resolution of Tie Votes after Judicial Recount

4.1. In the event of a tie vote after a judicial recount, the tie vote will be resolved by lot in accordance with the *Local Government Act*.

5. Nomination Deposit

5.1. No nomination deposit is required for nomination for the office of school trustee.

6. Mandatory Advance Voting Opportunities

6.1. Unless the Board is exempted from the requirement by Order of the Minister of Education, an advance voting opportunity will be held on the tenth day before general voting day.

6.2. Unless the Board is exempted from the requirement for a second advance voting opportunity by Order of the Minister of Education, the second advance voting opportunity will be held:

6.2.1. For an election that is the subject of an agreement between the Board and the City of Powell River under which the City conducts the trustee election on behalf of the Board, or a municipal election is conducted in conjunction with the trustee election, the date specified for the additional mandatory advance voting opportunity as well as location and voting hours of any special voting opportunities in the general election bylaw of the City, as it is amended from time to time, shall apply in the trustee election.

6.2.2. For a trustee election that is not the subject of an agreement referred to in (a) the second advance voting opportunity shall be held on the third day before general voting day.

7. Additional Advance Voting Opportunities

7.1. The Chief Election Officer is authorized to establish additional advance voting opportunities for each election and to designate the voting places, establish the date, and the voting hours for these voting opportunities.

8. Additional General Voting Opportunities

8.1. The Chief Election Officer is authorized to establish additional general voting opportunities for general voting day for each election, and to designate the voting places and voting hours, within the limits set out in the *Local Government Act*, for such voting opportunities.

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9. Public Access to Election Documents

- 9.1. The Board authorizes posting of nomination documents of trustee candidates on the website of School District No. 47 (Powell River) for public access until 30 days after declaration of the election results at www.sd47.bc.ca.
- 9.2. The Board authorizes but does not require the Chief Election Officer to post nomination documents of trustee candidates for public access, on the website of the City, or the website of the qathet Regional District until such time as established by the by-laws of these local governments.

10. Elections Conducted by the Board

10.1. Elector Registration

- 10.1.1. For all elections, a person may register as an elector only at the time of voting.

10.2. Mail Ballot Voting

- 10.2.1. As authorized under section 110 of the *Local Government Act*, voting may be done by mail for those electors who meet the criteria in paragraph (b).
- 10.2.2. The following electors are permitted to vote by mail ballot and to register to vote by mail:
 - 10.2.2.1. those persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;
 - 10.2.2.2. persons who expect to be absent from the School District electoral area on general voting day and at the times of all advance voting opportunities;
 - 10.2.2.3. persons who reside on Texada Island as it is remote from voting places at which electors are entitled to vote.
- 10.2.3. The following procedures for voting and elector registration must apply:
 - 10.2.3.1. Sufficient record will be kept by the chief election officer so that challenges of the elector's right to vote may be made in accordance with the intent of section 126 of the *Local Government Act*;
 - 10.2.3.2. A person exercising the right to vote by mail under the provisions of section 110 may be challenged in accordance with, and on the grounds specified in section 126 of the *Local Government Act*, until 4:30 pm two days before general voting day.
- 10.2.4. The time limits in relation to voting by mail ballot will be determined by the chief election officer.

10.2.5. As provided in the *Local Government Act*, to be counted, a mail ballot must be received by the chief election officer before the close of voting on general voting day.

Legal References: *School Act, Local Government Act*

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